

REMARKS

The Advisory Action mailed June 15, 2006 and the Final Office Action of January 31, 2006 have been reviewed and the comments therein were carefully considered. Claims 1-12 and 15-21 stand rejected. Claim 1-12 and 15-21 have been currently amended. Claims 22-34 are newly added. No new matter has been introduced into the application. In view of the Request for Continued Examination and accompanying amendments/remarks, Applicant believes all the claims are in condition for allowance and respectfully request notice of the same.

The New and Amended Claims Contain No New Matter

Independent claims 1, 8, and 16 were amended to recite, *inter alia*, "in a wireless browser independent manner." Support for these amendments is found in the claim itself and also at least on page 8, lines 1-8 and page 5, lines 9-15 of the specification as filed, thus no new matter has been added.

Claims 22-34 are newly added. Support for these claims can be found throughout the specification as filed (including the originally-filed claims) and accompanying drawings. No new matter has been added through these new claims.

Claim Rejections Under 35 USC §112

Claims 8-15 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claim 8 in response to the objections for indefiniteness to particular claim language as indicated in the Office Action. Applicant submits claims 9-15, which depend from independent claim 8, are sufficient to particularly point out and distinctly claim the subject matter of the invention, thus these claims need not be amended. Applicant respectfully requests reconsideration of the objections based on the claim amendment.

Claim Rejections Under 35 USC §103

Claims 1 and 3-5 are rejected under 35 USC §103(a) as being unpatentable over Rowley, U.S. Patent No. 5,999,740 in view of Applicant Admitted Prior Art (hereinafter “AAPA”).

Applicant has amended claim 1 to further clarify Applicant’s invention. Neither references cited by the Examiner as the basis for this rejection disclose, alone or in combination, all the features of the claimed invention.

Applicant has amended claim 1 to clarify that the “in a wireless browser independent manner” feature is included. Rowley fails to teach, disclose, or suggest the recited feature. Nowhere in Rowley is wireless communication for facilitating the downloading of applications in a browser independent manner discussed. In addition, AAPA fails to teach, disclose, or suggest the recited feature. Previously, the Examiner had not given patentable weight to the recited feature because the recitation occurred in the preamble. Applicant submits that the amended claim 1 overcomes the Examiner’s concerns and respectfully requests that the Examiner withdraw the rejection and allow claim 1.

Therefore, for at least the above reason, Applicant respectfully submits that independent claim 1 is in condition for allowance. Claims 2-7 depend from independent claim 1 and are allowable for at least the same reason as independent claim 1, and further in view of various features recited therein.

Claims 2 and 7 are rejected under 35 USC §103(a) as being unpatentable over Rowley, and AAPA as applied to claim 1 above, further in view of Bourcher, et al., U.S. Patent No. 6,910,047.

Applicant respectfully submits that dependent claims 2 and 7 which ultimately depend from independent claim 1 are allowable for at least the same reasons as independent claim 1. In addition, nowhere in Bourcher is wireless communication for facilitating the downloading of applications in a browser independent manner discussed.

Claims 6, 8, 10-12, 15-16, 18-20 are rejected under 35 USC §103(a) as being unpatentable over Rowley and AAPA as applied to claim 1 above, further in view of Ims, et al., U.S. Patent No. 6,665,867.

Applicant respectfully submits that dependent claim 6 which ultimately depends from independent claim 1 is allowable for at least the same reasons as independent claim 1.

With respect to independent claim 8, the Office Action states that independent claim 8 “is rejected for the same reasons as claims 1 and 6 above.” Therefore, Applicant respectfully submits that independent claim 8 is allowable for at least the same reasons as stated above for claim 1. In addition, Applicant respectfully submits that Rowley, AAPA, nor Ims disclose, teach, or suggest the claimed feature of “in a wireless browser independent manner.”

Therefore, for at least the above reasons, Applicant respectfully submits that independent claim 8 is in condition for allowance. Claims 9-12 and 15 ultimately depend from independent claim 1 and are allowable for at least the same reason as independent claim 1, and further in view of various features recited therein.

For similar reasons discussed above with respect to independent claims 1 and 8, Applicant respectfully submits that Rowley, AAPA, nor Ims disclose, teach, or suggest the claimed feature of “in a wireless browser independent manner.”

Therefore, for at least the above reason, Applicant respectfully submits that independent claim 16 is in condition for allowance. Claims 17-21 which ultimately depend from independent claim 16 are allowable for at least the same reason as claim 16, and further in view of various features recited therein.

Claims 9, 17 and 21 are rejected under 35 USC §103(a) as being unpatentable over Rowley, AAPA and Ims as applied to claims 6 and 16 above, further in view of Bourcher.

Applicant respectfully submits that dependent claims 9, 17, and 21 which ultimately depend from one of independent claims 8 or 16 are allowable for at least the same reasons as independent claim from which they ultimately depend.

CONCLUSION

Applicant respectfully requests acceptance of the Request for Continued Examination, along with entrance of the accompanying amendment and consideration of the accompanying remarks. Applicant respectfully request reconsideration of the pending claims and a finding of their allowability for at least the reasons stated. A notice to this effect is respectfully requested. Please feel free to contact the undersigned should any questions arise with respect to this case that may be addressed by telephone.

Respectfully submitted,

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